United Nations A/63/369

General Assembly

Distr.: General
22 September 2008

Original: English

Sixty-third session
Agenda items 117 and 128

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Information requested in paragraph 17 of General Assembly resolution 62/247

Report of the Secretary-General

Summary

The present report includes information on the status of implementation of General Assembly resolution 59/287, updated and detailed information on all the entities other than the Office of Internal Oversight Services carrying out administrative inquiries and investigations; and the status of work done under general temporary assistance resources to establish a training capacity for the Investigations Division to enable programme managers to handle category II cases of possible misconduct.*

* Explanations of category II cases of possible misconduct are provided in section III.

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I. Introduction

1. In paragraph 17 of its resolution 62/247, the General Assembly requested the Secretary-General to prepare, in close cooperation with the Office of Internal Oversight Services (OIOS), for its consideration at the sixty-third session, a report providing detailed information regarding, inter alia:

(a) The status of implementation of its resolution 59/287;

(b) Updated and detailed information on all the entities other than the Office of Internal Oversight Services carrying out administrative inquiries and investigations, their legislative basis and precise role, the number and types of cases handled, related resources, reporting mechanisms, standards and guidelines involved and training imparted;

(c) The status of work done under general temporary assistance resources equivalent to six positions to establish a training capacity for the Investigations Division to enable programme managers to handle category II cases of misconduct and the assessment of such work and any other related work carried out for the same purpose, as well as the future workplan thereof.

2. The information requested in paragraph 17 of General Assembly resolution 62/247 is detailed in the sections that follow.

II. Status of implementation of General Assembly resolution 59/287

3. The General Assembly, by its resolution 59/287, requested the Secretary-General to undertake various actions and institute certain procedures in relation to investigations. The status of implementation of measures is provided below.

Training

4. In paragraph 10 of resolution 59/287, the General Assembly requested the Secretary-General to implement the proposals of OIOS to increase basic investigation training, as appropriate, for the handling of minor forms of misconduct, to develop written procedures for the proper conduct of investigations and to promote the concept of an independent investigation function within the United Nations.

5. Detailed information regarding investigation training is included in section IV of the present report.

Reporting of allegations of misconduct

6. In paragraph 11 of resolution 59/287, the General Assembly decided that the results of investigation conducted by programme managers should be reported to OIOS. In paragraph 12, the General Assembly requested the Secretary-General to establish an administrative mechanism for the mandatory reporting by programme managers of allegations of misconduct to OIOS and to report on the establishment of such a mechanism to the General Assembly at the resumed part of its sixtieth session. In paragraph 13, the General Assembly also requested the Secretary-General to ensure that the introduction of a mandatory reporting mechanism will not

adversely affect the right of an individual staff member to report cases of allegations of misconduct directly to OIOS.

7. Pursuant to the Organization's existing procedures under administrative instruction ST/AI/371 of August 1991 on revised disciplinary measures and procedures, where there is reason to believe that a staff member has engaged in unsatisfactory conduct for which a disciplinary measure may be imposed, the head of office or responsible officer is required to undertake a preliminary investigation. In circumstances where the allegations made are particularly serious, or where other factors indicate that a professional investigation may be required, the head of office or responsible officer may decide to refer such cases to OIOS for its review and attention as appropriate.

8. In addition, pursuant to paragraph 5.12 of the Secretary-General's bulletin of 11 February 2008 on prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5), aggrieved individuals or third parties with direct knowledge of any alleged misconduct of this nature may in all instances report cases directly to OIOS, without the need to obtain authorization or clearance from any official.

9. The Office of Internal Oversight Services maintains a telephone and e-mail hotline for receiving reports of possible misconduct. In addition, the Conduct and Discipline Unit of the Department of Field Support has specific procedures for receiving, screening reports of possible misconduct at the mission level and forwarding to OIOS matters that may be considered serious enough for professional investigation. A new OIOS/Investigations Division brochure explaining the process has been produced and will be circulated throughout the Organization, at Headquarters and in the field. In addition, the OIOS website is being updated to more clearly explain responsibilities of all staff for reporting possible misconduct.

Managerial action in cases of misconduct

10. In paragraph 14 of its resolution 59/287, the General Assembly further requested the Secretary-General to ensure that where poor management practice is a contributory factor in cases of misconduct, appropriate managerial action is taken by the Office of Human Resources Management. In paragraph 16 of the resolution, the Assembly requested the Secretary-General to ensure that, in case of proven misconduct and/or criminal behaviour, disciplinary action and, where appropriate, legal action in accordance with the established procedures and regulations will be taken expeditiously, and requested the Secretary-General to ensure that Member States are informed on an annual basis about all actions taken. In paragraph 17 of the resolution, the Assembly requested the Secretary-General to ensure that all staff of the Organization are informed of the most common examples of misconduct and/or criminal behaviour and their disciplinary consequences, including any legal action, with due regard to the protection of the privacy of the staff member(s) concerned.

11. In general, appropriate administrative or managerial action is taken by the relevant Department, upon advice, when requested, from the Office of Human Resources Management. In specific cases, in particular when the Department has referred to the Office of Human Resources Management the case of a staff member for disciplinary action and the Office is of the view that the conduct at hand does not rise to the level of misconduct but should be handled as a performance issue, the

Office of Human Resources Management advises the Department that administrative action is warranted. In such cases, the Office of Human Resources Management may impose an administrative measure established by the relevant regulations, rules and administrative instructions.

12. In cases where criminal behaviour is detected, the final decision on any legal action rests with the Secretary-General and, once a decision is made, the Office of Legal Affairs promptly implements such decision. These cases first go through a careful evaluation process, which encompasses an analysis of policy considerations, as well as those of a legal nature, involving all concerned units of the Organization, before any legal action is undertaken. Examples of factors which must be taken into consideration prior to instituting legal action include: the impact on privileges and immunities; the likelihood of the success of the claim if pursued; the impact upon the reputation of the Organization caused by becoming party to a lawsuit; an evaluation of the expected cost and benefit of entering into such action in view of the high costs and uncertainties of litigation; the exposure of the Organization to financial and other risks; and the potential impact on the internal justice system of the Organization.

13. Details of cases of proven misconduct and/or criminal behaviour are reported to the General Assembly on an annual basis. The most recent report (A/63/202) covers the period from 1 July 2007 to 30 June 2008. Details are provided to staff by issuance of annual information circulars. The most recent issued is information circular ST/IC/2008/41, which covers the period 1 July 2007 to 30 June 2008. The documents include a summary of cases for which the Secretary-General imposed a disciplinary measure during the period and the disposition of those cases. It also contains information concerning cases where United Nations staff members were subject to criminal proceedings.

Protection of staff reporting misconduct

14. In paragraph 15 of resolution 59/287, the General Assembly requested the Secretary-General to ensure that an appropriate mechanism is in place to protect staff members who report misconduct within the Secretariat against retaliation.

15. On 19 December 2005, the Secretary-General issued his bulletin ST/SGB/2005/21 on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations. This bulletin provides protection for staff members who report misconduct or cooperate with a duly authorized audit or investigation, which includes confidential reporting of complaints of retaliation to the Ethics Office, and the bulletin sets forth the authority of the Ethics Office to review the allegations. In the event that the Ethics Office finds that there is a prima facie case of retaliation or threat of retaliation, it will refer the matter in writing to OIOS for investigation. Pending the completion of the investigation, the Ethics Office may recommend appropriate measures to safeguard the interests of the complainant. If retaliation against an individual is established, the Ethics Office may recommend appropriate measures aimed at correcting negative consequences suffered as a result of the retaliatory action. These measures are in addition to established internal recourse mechanisms.

Resolution of disputed findings

16. In paragraph 18 of resolution 59/287, the General Assembly requested the Secretary-General to ensure that when conclusions of OIOS are disputed by a programme manager, appropriate action will be taken to resolve the dispute and that information thereon will be included in the annual report of the Office of Internal Oversight Services.

17. The Secretary-General has assigned responsibility to the Management Committee for ensuring that findings and recommendations of oversight bodies, including those arising from OIOS investigations, are effectively acted on. OIOS includes information in its annual reports on recommendations that they do not consider have been acted on in a timely or adequate manner. It has been the practice of the Management Committee to review these recommendations highlighted in the OIOS annual reports and ensure that necessary action is taken.

III. Entities other than the Office of Internal Oversight Services that carry out administrative inquiries and investigations

18. Within the United Nations, a wide range of internal investigations are conducted by various internal entities.

19. OIOS investigates reports of violations of United Nations regulations, rules and administrative issuances. OIOS has developed a system of classifying possible cases of misconduct based on the level of risk they pose to the Organization. Category I consists of high-risk, complex matters and serious criminal cases. Such cases would normally include the following:

- Serious or complex fraud
- Other serious criminal act or activity
- Abuse of authority or staff
- Conflict of interest
- Gross mismanagement
- Waste of substantial resources
- All cases involving risk of loss of life to staff or to others, including witnesses
- Substantial violation of United Nations regulations, rules or administrative issuances
- Complex proactive investigations aimed at studying and reducing risk to life and/or United Nations property

20. According to the OIOS classification system, cases of lower risk to the Organization are classified as belonging to category II and include the following:

- Personnel matters
- Traffic-related inquiries
- Simple thefts
- Contract disputes

- Office management disputes
- Basic misuse of equipment or staff
- Basic mismanagement issues
- Infractions of regulations, rules or administrative issuances
- Simple entitlement fraud

21. The Office of Internal Oversight Services generally investigates category I cases on its own initiative or on request from a head of office, but may refer some of these cases to other entities for action. Category II cases are normally not investigated by OIOS, but by a head of office, the Department of Safety and Security or the Office of Human Resources Management, either at their initiative or on referral from OIOS.

22. The information required in paragraph 17 (b) of resolution 62/247 on entities other than OIOS that conduct various aspects of investigations is set out below.

(a) Heads of office and programme managers

Legislative mandate	Administrative instruction ST/AI/371 provides that heads of office or responsible officers shall undertake a preliminary investigation where there is reason to believe that a staff member has engaged in unsatisfactory conduct for which a disciplinary measure may be imposed. In paragraph 7 of resolution 59/287, the General Assembly recognized that programme managers may be entrusted to conduct certain types of investigations, such as sexual harassment.[1]
Types of cases	Heads of office normally conduct investigations into allegations falling into category II. Examples of category II cases are: discrimination; harassment, including sexual harassment; abuse of authority; personnel matters; simple thefts; contract disputes; office management disputes; basic misuse of equipment or staff; basic mismanagement issues; infractions of regulations, rules or administrative issuances; and simple entitlement fraud.

[1] Prior to 1 March 2008, administrative instruction ST/AI/379 of 29 October 1992 on procedures for dealing with sexual harassment governed the handling of the allegations of sexual harassment. As set out in annex II of the thirty-sixth report of the Advisory Committee on Administrative and Budgetary Questions on the programme budget for 2008-2009 (A/62/7/Add.35), under this administrative instruction, the Office of Human Resources Management was responsible for conducting investigations into allegations of sexual harassment. Effective 1 March 2008, administrative instruction ST/AI/379 was replaced by the Secretary-General's bulletin on prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5). This bulletin requires heads of office to initiate investigations into allegations of all forms of harassment, including sexual harassment, discrimination and abuse of authority. Accordingly, the Office of Human Resources Management is no longer responsible for conducting sexual harassment investigations Secretariat-wide.

Number of cases	The number of allegations of misconduct handled by the Office of Human Resources Management following preliminary investigations that were conducted by heads of office/responsible officers is:
2006[2]	66
2007[3]	37
Related resources	Heads of office do not have standing capacity to conduct investigations. The head of office normally constitutes a panel of two or more staff members from within the department/office to conduct the investigation. Heads of offices may also request OIOS or the Department of Safety and Security to conduct the investigation. In addition, during the course of their regular functions, Administrative Officers, Executive Officers or Human Resources Officers may discover that a staff member may have engaged in misconduct, for example, relating to requests for entitlements, such as education grants. After obtaining all the necessary information, the head of office may refer these cases to the Office of Human Resource Management for disciplinary action.
Reporting mechanisms	The investigation panel submits its report to the head of office that initiated the investigation. Where the head of office is satisfied that the report indicates that misconduct may have occurred, the report is transmitted to the Assistant Secretary-General for Human Resources Management for disciplinary action. For mission cases, the report is submitted through the Department of Field Support.
Standards and guidelines involved	The investigation panel conducts the investigation in accordance with the terms of reference provided by the head of office.
Training received	Panel members do not receive formal training. At the request of the head of office, the Office of Human Resources Management has briefed panel members on the basic information that should be included in the investigation report and the basic rights of the subject of the investigation.

[2] Includes 11 cases of sexual exploitation and abuse.

[3] Includes 3 cases of sexual exploitation and abuse.

Under the Secretary-General's bulletin ST/SGB/2008/5, a pool of trained investigators should be available for managers to call upon to assist in investigations on discrimination, harassment, including sexual harassment, and abuse of authority. OIOS is working with the Office of Human Resources Management to develop a training programme for the pool of investigators.

(b) Panel on Discrimination and other Grievances

Legislative Mandate

The Panel on Discrimination and other Grievances was established in 1977 by administrative instruction ST/AI/246, and its terms of reference were updated in 1983 by administrative instruction ST/AI/308/Rev.1. The Panel investigates allegations of discriminatory treatment, harassment, and employment-related grievances arising from working in the Organization. The terms of reference of the Panel indicate that:

- The Panels shall investigate grievances submitted by the staff members arising from their employment with the Organization. Such grievances may include, but are not necessarily limited to allegations of discriminatory treatment in the United Nations Secretariat on the grounds such as those referred to in article 2 of the Universal Declaration of Human Rights. The Panels shall seek to resolve the grievances by informal means or, where this proves impossible, by recommending appropriate action by the Secretary-General;

- In the discharge of their functions, Panel members shall act with complete independence and impartiality. If, as a result of its investigation, any panel considers that grievances or problems exist at the duty station, which bears on general conditions of work, it may submit a special report through the Joint Advisory Committee or equivalent body to the head of office for transmittal to the Secretary-General or, in the case of the Headquarters panel, directly to the Secretary-General;

- The Panels may decline to deal with matters which, in their opinion, fall within the competence of other advisory bodies established under the Staff Regulations and Rules.

	Pursuant to General Assembly resolution 61/261, the Panel on Discrimination and other Grievances will be abolished, effective 1 January 2009. (The legislative basis calls for Panels in New York, Geneva, Vienna and Nairobi. The New York Panel is permitted to receive cases from outside Headquarters, including from peacekeeping missions.)
Types of cases	Discrimination and other grievances
Number of cases (2006-2007)	Between October 2006 and December 2007, the Panel handled a total of 35 cases (15 from outside Headquarters).
Related resources	The Panel on Discrimination and other Grievances in New York has a Secretary (G-6/7 level) provided by the Department of Management, which also provides a small office for use of the Secretary and for keeping the panel's records. The Panel does not have any funding that could have made travel for on-site interviews, access to videoconferencing facilities or modern information technology equipment possible. Panel members carry out their Panel duties in addition to their regular United Nations jobs, although Panel-related work is considered official work under the legislative basis. In 2007, a number of Panel members were unexpectedly unavailable. This has further reduced the resources of the Panel and delayed its work.
Reporting mechanisms	The legislative basis of the Panel requires it to submit its reports to the head of the Office of Human Resources Management and to the head of the department in which the complainant works. In some cases, the Panel may choose to submit its final report to the Secretary-General — an option provided in the Panel's terms of reference.
Standards and guidelines involved	Upon being revitalized, the Panel reviewed and updated its guidelines and procedures. At present, the following procedure is involved in filing a complaint with the Panel: Any staff member who wishes recourse to a panel may contact the Secretary, any Panel member or the coordinator. Although the New York Panel is specifically for complaints raised by staff members at this location, the Panel also receives cases from staff away from Headquarters especially if there is no Panel on Discrimination and other Grievances in their location. The New York Panel may opt to send a case submitted by a Headquarters

	staff member to another panel if there appears to be a conflict of interest or if the case is of an extremely sensitive nature and that it is best if the case is reviewed by a Panel in another duty station. All claims must be submitted in writing. This written statement must include the following: (i) complete name of and administrative details of the complainant; (ii) a summary of the nature of the grievance; (iii) an explanation of why the complainant feels this situation has arisen; and (iv) an explanation of what the complainant wants the panel to accomplish. The complainant must sign and date the written claim, attach any supporting documents and indicate whether the case has been brought before any other internal justice system body. If the latter is the case, the Panel asks the complainant why the case is being brought to the attention of the panel in addition to other bodies. The Panel's interviews and its investigation process are confidential. It has been given the authority to request and receive confidential documents that are relevant to a particular case. Panel members are required to inform the Panel Coordinator of any potential personal or professional conflict of interest at the time of being assigned a case. The Panel makes an effort to mediate a solution and if that seems not possible, moves into the investigation process. Although the Panel tries to finalize its investigation within 2-3 months, depending on the degree of complexity of a case, this is not always possible.
Training	The Panel Secretary and several Panel members have attended training sessions provided by the Office of Human Resources Management on mediation and conflict resolution. The Panel Secretary attended several negotiation and mediation trainings conducted by the Cornell Institute on Conflict Resolution. Most Panel members have some prior experience with consensus-building, mediation and conflict resolution.

(c) Department of Safety and Security

Legislative mandate	The Internal Affairs Unit of the Department of Safety and Security was established based on an October 2006 recommendation of the internal Management Consulting Service of the Monitoring, Evaluation and Consulting Division of OIOS and functions as a standing fact-finding body under administrative instruction ST/AI/371. The role of the Internal

	Affairs Unit is to investigate allegations of wrongdoing or malfeasance of Department of Safety and Security staff members worldwide. This includes staff members at the Professional level, Security Officers level, and General Service level at Headquarters, offices away from Headquarters and the regional commissions, as well as international and locally recruited Department of Safety and Security staff members administered by the United Nations Development Programme (UNDP) assigned to security functions in peacekeeping missions and in United Nations country teams. As with the Special Investigations Units, the Internal Affairs Unit is a fact-finding unit, the role of which is to gather case facts by retrieving information and data from evidence presented.
Types of cases	The Internal Affairs Unit investigates category II allegations. Category I allegations are referred to OIOS (for those staff members holding United Nations contracts) or performed in conjunction with the Office of Audit and Investigations, UNDP (for those staff members holding UNDP contracts). Sexual harassment cases were referred to the Office of Human Resources Management up to end of February 2008.
	The Special Investigations Unit investigates crimes, offences, accidents and violations that occur within the Headquarters district.
Number of cases	Number of cases investigated by the Internal Affairs Unit of the Department of Safety and Security:
2006	10 cases
2007	26 cases
2006-2007	Number of cases investigated by the Special Investigations Unit of the Department of Safety and Security:
2006	377 cases
2007	408 cases
Related resources	The Internal Affairs Unit is assigned to the Compliance, Evaluation and Investigations Section of the Department of Safety and Security and permanent investigators commenced service in March 2008. Prior to the arrival of the permanent investigators, personnel assigned to the Compliance, Evaluation and Monitoring Unit of the Compliance,

	Evaluation and Investigations Section were tasked with investigations. Three Security Officer level staff members and, if necessary, Professional staff from the Compliance, Evaluation and Monitoring Unit can be used to augment the Internal Affairs Unit; the Internal Affairs Unit reports directly to the Chief of the Compliance, Evaluation and Investigations Section. The Special Investigations Unit comprises one Lieutenant, one Sergeant, and two Security Officers.
Reporting mechanisms	Fact-finding reports, at the conclusion of the investigation, are issued to the appropriate Programme Manager for action.
Standards and guidelines involved	Generally, the Internal Affairs Unit uses the OIOS Investigations Manual as its reference for investigations. Internal guidelines are in the process of being produced to compliment the OIOS investigation for those cases requiring liaison with UNDP.
Training received	The two newly arrived Security Officer level investigators have United Nations investigative backgrounds. The Compliance, Evaluation and Monitoring Unit personnel used for investigations were former OIOS investigators.

(d) Peacekeeping missions: Board of Inquiry and Special Investigations Unit

Legislative mandate	There are three types of Boards of Inquiry, which carry out investigations in missions: (a) Boards of Inquiry constituted under the Directives for Disciplinary Matters Involving Military Members of National Contingents, promulgated in 2003; (b) Boards of Inquiry constituted under the Directives for Disciplinary Matters Involving Civilian Police Officers and Military Observers, promulgated in 2003; (c) Boards of Inquiry constituted under chapter 16 of the Draft Field Administrative Manual issued in 1992. The latter Board of Inquiry assists the Organization in assuming responsibility for the equipment and supplies, including contingent-owned property used by a peacekeeping or a field mission and for

	protection of the mission and its members while on official duty against third-party claims. These Boards of Inquiry do not have the mandate to conduct disciplinary investigations in respect of staff members. Nevertheless, the Board of Inquiry may, in the conduct of their inquiry, find facts which indicate possible misconduct on the part of a staff member. Inquiries conducted by Boards of Inquiry are normally based on Special Investigations Unit or United Nations Police reports. Legislative mandates for Special Investigations Units in missions are contained in the General Assembly resolutions establishing missions and mission structures.
Types of cases	Examples of cases handled by Boards of Inquiry include gross negligence on the part of a staff member in a traffic accident.
Number of cases	The number of cases reported by the Department of Field Support is:
2006	175 cases
2007	150 cases
Related resources	Administrative and secretarial support is provided at Headquarters by one P-3 and one General Service staff.
Reporting mechanisms	The reports prepared by the Boards of Inquiry or the Special Investigations Units are transmitted to the head of office, who may transmit it to the Assistant Secretary-General for Human Resources Management for disciplinary action. These reports are submitted through the Department of Field Support.
Standards and guidelines involved	Policy Directive of the Boards of Inquiry dated 1 June 2008, with its accompanying standard operating procedures issued on 1 June 2008.
Training received	Briefings on the terms of reference of the Board is provided by Legal Advisers of the Department.

(e) Ethics Office

Legislative mandate	The Ethics Office derives its legislative basis for receiving and reviewing requests for protection from retaliation specifically from the Secretary-General's bulletin ST/SGB/2005/22 (terms of reference) and

from the Secretary-General's bulletin ST/SGB/2005/21 (the policy on protection against retaliation). Section 5.2 of ST/SGB/2005/21 describes the specific role of the Ethics Office in implementing the policy.

Types of cases

Section 5.2 states:

> "The functions of the Ethics Office with respect to protection against retaliation for reporting misconduct or cooperating with a duly authorized audit or investigation are as follows:
>
> "(a) To receive complaints of retaliation or threats of retaliation;
>
> "(b) To keep a confidential record of all complaints received;
>
> "(c) To conduct a preliminary review of the complaint to determine if (i) the complainant engaged in a protected activity; and (ii) there is a prima facie case that the protected activity was a contributing factor in causing the alleged retaliation or threat of retaliation."

If the Ethics Office finds a prima facie case of retaliation, then it refers the matter to OIOS.

Number of cases

January to July 2006

The Ethics Office received 45 complaints of retaliation for reporting misconduct. After an initial assessment, 9 were determined to fall outside the scope of the Office's mandate; 3 were referred to other offices, 19 received early monitoring and assessment, 8 were tracked for pending action by other offices, and 6 cases were determined to warrant a preliminary review. Of those six cases, one case had been submitted for investigation and in the other five cases, no prima facie case was found.

August 2006 to July 2007

During this period, the Ethics Office received 52 complaints of retaliation. After the initial assessment, it was determined that 16 complaints warranted a preliminary review. Of the 16 complaints, 2 cases were referred to OIOS for further investigation following a determination that a prima facie case of retaliation had been established. No prima facie case was found in 10 cases and 4 cases continued to be under review. Of the remaining 36 complaints, 19 fell outside of the scope of the Office's mandate, and 11 were provided with

	advice and guidance. The Office was copied in six cases that were primarily addressed to other departments or offices.
August 2007 to July 2008	The Ethics Office received 45 complaints of retaliation. Following the initial assessment, 18 complaints were found to warrant a preliminary review. Of these 18, no prima facie case was found in 7 complaints, and 11 cases continued to be under review. Of the remaining 27 complaints, 9 were determined to fall outside of the scope of the mandate of the Ethics Office, 13 were provided with advice or guidance, and 5 are in the initial assessment phase of their review. The four cases there were reported as still under review under the last reporting period were completed during this period and in all four cases, because the relevant organizations undertook appropriate action to address the staff members' concerns, the Ethics Office ceased its review and closed its files.
2006-2007	Seventeen cases (all in 2007) were submitted to the Office of Human Resources Management relating to financial disclosure.
Related resources	One Ethics Officer (P-4) and one temporary Ethics Officer (P-3) with support provided by the Director (D-2).
Reporting mechanisms	To the Ethics Office: Complaints are made in person, by regular mail or by e-mail, by fax or through the Ethics Office helpline.
Standards and guidelines involved	Standards and procedures have been put in place to ensure confidentiality of complaints. Basic procedures followed for complaints received: (i) Upon receipt of a complaint, the office performs an initial assessment to determine whether the matter falls within the scopé of the Secretary-General's bulletin ST/SGB/2005/21. In order to assist in the assessment, the complainant is asked to fill out a form providing details of the protected activity and the alleged retaliation;

(ii) If the Ethics Office determines, upon assessment, that the case can/should be handled more appropriately by a different office, the complainant is so advised. In some instances, the office will refer the matter to the relevant office, usually with the consent of the complainant;

(iii) If it is determined that the matter does indeed fall within the scope of its mandate, the Ethics Office conducts a preliminary review, which generally involves interviews of the complainant and possible witnesses as well as a review of relevant supporting documents. The office attempts to obtain independent corroborating information to support (or refute) the allegations made by the complainant;

(iv) In cases where a prima facie case has been found, the Ethics Office advises the complainant of the finding. OIOS, the Office of Human Resources Management and the head of office are also informed of the finding so that interim measures can be taken, if necessary, to safeguard the interests of the complainant pending the investigation by OIOS.

In cases where there is no finding of a prima facie case, the finding and the basis thereof is communicated to the complainant; in certain circumstances, the head of office may also be informed of the finding.

Training for Ethics staff

(i) Internal training provided by the Office of Human Resources Management: collaborative negotiation skills and negotiating diversity conflicts.

(ii) External training:

- Neutral investigation and fact-finding of sexual harassment complaints;
- Cross-cultural issues in mediation and negotiation.

IV. Status of work to establish a training capacity for programme managers to handle category II cases of misconduct and assessment of such work

23. As regards paragraph 17 (c) of General Assembly resolution 62/247, OIOS is in the process of designing an investigation learning programme aimed at equipping programme managers with basic investigations training for the handling of category II cases. The programme consists of three modules, which range from a

basic introductory course on investigations to specialized modules designed to cover sexual harassment, financial misconduct, information technology and advanced interviewing techniques, as well as policy and normative aspects of investigations. The full complement of the programme modules will be developed by the end of the third quarter 2008, with training of programme managers expected to commence by the end of 2008 or early 2009. At least one module, Sexual Harassment, will be ready for delivery to programme managers by September 2008. OIOS will also hold workshops available to interested staff intended to raise awareness in high-risk areas, such as procurement. While the investigation learning programme curriculum is being developed by two staff members, the actual training will be delivered by investigators.

24. The content of the investigation learning programme curriculum is consistent with the recent updates in the Investigation Manual, as well as the standard operating procedures which specifically address technical and procedural matters related to investigations. The curriculum, as well as the guidance established, align OIOS with best practice in the system and developing jurisprudence affecting investigations.

25. In addition, OIOS has initiated regular discussions within the United Nations system to ensure consistency through acceptance of minimum standards for investigation. Regular, informal meetings with the Department of Safety and Security, the Department of Field Support and the funds and programmes are scheduled for this purpose, while the annual Conference of International Investigators brings together the entire United Nations system, the specialized agencies and the multilateral development banks to promote best practices and the independence of the investigation function.

26. Since its initial proposal to the General Assembly, OIOS reassessed its strategy for capacity-building and determined that at the stage of the investigation learning programme design and development, only two positions at the P-4 level are required. Therefore, as reported to the Advisory Committee on Administrative and Budgetary Questions in March 2008 (see A/62/7/Add.35), only two positions were recruited for training under the general temporary assistance allotment.